

RECEIVED
DEC 1 1997
FCC MAIL ROOM

DOCKET FILE COPY ORIGINAL

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
Calling Party Pays Service Option)
in the Commercial Mobile Radio Services) WT Docket 97-207

To: The Commission

COMMENTS OF BEEPLES, INC.

Beeples, Inc. pursuant to 47 C.F.R § § 1.415 and 47 U.S.C. § § 151 et. seq. hereby submits its comments in response to the Federal Communications Commission's ("FCC") Notice of Inquiry in WT Docket No. 97-207.¹

As set forth herein, Beeples, Inc. proposes that compensation to wireless carriers or other providers of Telecommunications Services for termination of Public Switched Telephone Network calls should be compensated in a manner similar to the current arrangement for calls between wireline carriers in which, generally,² the total costs of switching, transport and termination for calls through one or several carriers is paid by the originating line calling party through a system of access and/or other compensation arrangements.³

Industry standard compensation arrangements, applied on an industry-wide basis, including all wireline and CMRS carriers would negate the primary need for a so called Calling Party Pays Service Option and the ensuing special, but discriminatory treatment of wireline to Commercial Mobile Radio Services ("CMRS") calls. Beeples believes the FCC should enforce existing rules and procedures applicable to all Telecommunications Carriers that would substantially negate any need for a special Calling Party Pays (CPP) Service Option for Commercial Mobile Radio Services.

¹ In the Matter of Calling Party Pays Service Option in the Commercial Mobile Radio Services.

² Exceptions to the caller pays concept in the current Public Switched Telephone Network include Toll Free 800/888 calls, Collect and Third Party calls which are generally billed and collected to the terminating line as opposed to the originating line.

³ Currently, compensation arrangements between wireline and CMRS carriers is the subject of several FCC actions, see, FCC 96-98, et. seq. Historically, wireline carriers have had settlement and/or inter-carrier billing arrangements for billing of calls to the originating line for calls between franchised carriers networks virtually since wireline telephone carriers have had interconnected networks.

0210
JAN 10 1998

By convening an industry panel, either existing or new, to develop Telecommunications Industry standards for notification, billing and collection of charges by each participating carrier of inter-company calls, the FCC would oversee development of support systems and practices that would apply to all wireline and wireless carriers and their end user customers. A caller, whether wireline or wireless, would be notified, after placing a call to a destination outside of the "local" designated calling area for that particular calling line, between a wireline and another wireline network, or between a wireline and a wireless network, that the call is a toll call, and will be charged accordingly. These FCC mandated guidelines for a universal system of notification, billing and collection would serve to place all telecommunications carriers on an equitable basis, encourage competition and simplify calling and dialing procedures for consumers and business. In addition, a universal billing and notification system would allow states to more closely monitor and/or regulate the Telecommunications Industry within their state jurisdiction as they individually see fit.

I. Statement of Interest

Beeples, Inc. is an authorized reseller of Paging services and sells only Calling Party Pays-Paging ("CPP")(not conventional paging) in the Grand Rapids, Michigan market.

CPP for CMRS providers is offered as an access service by Ameritech in Michigan, under a contractual arrangement. ⁴ Ameritech also offers CPP for CMRS providers either under contract or by state tariff in Ohio, Illinois, Indiana and Wisconsin.

The Ameritech CPP service apparently uses an Advanced Intelligent Network (AIN) platform to provide the announcements and other information necessary to operate and bill the CPP service. Currently, the Beeples CPP-Paging service provides for the billing only of Ameritech, Michigan call originations.

⁴ Beeples and Ameritech have an Agreement for Billing and Collection (B&C) of Beeples CPP charges in Michigan. Beeples CMRS interconnection with Ameritech is in accordance with the Ameritech, Michigan, Public Mobile Carrier Services Tariff M.P.S.C. NO. 20 R. The Beeples - Ameritech B&C Agreement is not a part of the Ameritech, Michigan, Public Mobile Carrier Services Tariff M.P.S.C. NO. 20 R.

Calls to Beeples NXX code from Ameritech Michigan origination's are billed a calling charge, (set by Beeples at 35 cents for each call) in addition to any applicable toll charges. Ameritech provides a Beeples specified announcement on each call that states; "There is a surcharge of 35 cents to call this number, please press 1 now, to accept the charge". The Beeples call charge is then billed on the callers Ameritech invoice as a line item showing the date, time, number called and the charge. Ameritech then collects the Beeples call charge as part of the Ameritech calling subscribers monthly bill.

Beeples sells a service activated pager, packed in a sealed, retail plastic package that briefly describes the Calling Party Pays-Paging service, lists the charge per call, the approximate service area and other pertinent information, in a manner visible to a potential purchaser. The retail package also contains user instructions for both the pager and the CPP service, warranty information and the pager access telephone number. Beeples are sold as a consumer ready device at selected retail locations.

II. Beeples Proposal

Beeples believes competition, and the ensuing benefits to consumers and business, between and among wireline and CMRS carriers would be greatly enhanced by the development of industry-wide standards for inter-carrier billing transactions and call notification that would allow the billing and collection of ALL charges associated with a call, to the originating caller, and as set by the terminating carrier and all intermediate carriers, on all calls whether originated in the wireline network or a CMRS network and whether terminated on a wireline or CMRS network.⁵

⁵ Today, calls originating on CMRS networks are generally billed in their entirety to the calling CMRS subscriber line. These charges include both the CMRS and the landline portion of the call. However, most landline originated calls to CMRS networks require the caller to pay for the call from the originating line to the interconnection point between the wireline and the CMRS network. The CMRS subscriber is then required to pay for the call from the interconnection point between the wireline and CMRS networks to the receiving CMRS device.

These call charges would include wireline and CMRS charges for such things as transport, termination and other carrier specific charges as is generally done today for wireline to wireline calls in the existing wireline network. A wireline or CMRS subscriber would then have the option, as is available in the wireline network today, of requiring originating callers to the subscribers number, to either pay for the entire call, or have the caller be able to dial the number on a toll-free basis, in which the receiving subscriber would pay for the received call.

This proposal envisions toll free 800 like calling, utilizing modern PSTN technology, without the use of Service Access Codes ("SAC") by allowing end user subscribers to designate their telephone number as either toll free, or toll to the caller. Callers would be notified of the cost, based on the callers subscribed carriers, as each call is placed into the PSTN. In fact, it is technically feasible in the modern PSTN to allow the called party to designate certain specific calling numbers as being able to call toll free while all other calls would be standard toll.

By mandating a system of billing information and call notification requirements, the FCC could insure that the terminating wireline or CMRS carrier would be able to bill the originating caller its charges for its portion of the call, regardless of whether the call terminated in a wireline or CMRS network. The caller would be notified of the total cost of the call via the notification system and would be able to choose whether to complete the call after hearing or seeing the call cost. This system would foster competition and consumer communications by encouraging carriers to minimize their charges for call traffic in order to encourage calls into their networks.

As an interim measure, Beeples believes the FCC should encourage a Calling Party Pays Service Option for CMRS by encouraging the establishment of standard call notification and billing practices compatible with the CMRS CPP option.

With respect to this Notice Of Inquiry ("NOI") 97-341, WT Docket 97-207, Beeples would like to note that the balance of call traffic with respect to calls, as stated in Paragraph 10 of the NOI, would logically appear to be balanced toward more call traffic from landline to mobile than the perceived 80 percent origination on CMRS networks, 20 percent termination on CMRS networks, if all CMRS calls, including one-way paging calls, are counted. This conclusion is based on the fact that there are approximately as many pagers as there are cellular phones in use in the USA and the possible number of calls each CMRS unit receives or sends in a given time period. In addition, although wireline telephony is generally perceived to be "flat rate" for local calling, in reality, local calling is on a measured rate basis but "averaged" for purposes of charges for monopoly local service over the total calls made in a given historic time period. A charge per call can be calculated for any "flat rate" telephone service by dividing the historic, measured average call per subscriber line by the basic monthly charge.

III. Conclusion

In a truly competitive environment, a telecommunications carrier should be able to independently set its charges for handling a call, as is generally done today by CMRS carriers for calls that stay within the CMRS carriers own network.⁶

A framework of standard, uniform inter-carrier call charge notification and billing procedures would allow market based, competitive charges for CMRS and wireline call termination. Under a fair and non-discriminatory system for call notification, billing and collecting, fair market competition between and among all telecommunications providers would serve to regulate carrier specified call charges, for both originated and terminated calls, and negate the need for any specific Calling Party Pays Service Option in the Commercial Mobile Radio Services.

⁶ For example, users making a call from one cellular subscriber to another cellular subscriber on the same CMRS carrier network, pay rates determined by the CMRS cellular carrier based on market forces including competition and calculated costs.

Respectfully submitted,
BEEPLES, INC.

by:

A handwritten signature in black ink, appearing to read "Victor L. Jackson", written over a horizontal line.

Victor L. Jackson

President

Beebles, Inc.

2377 Seminole Dr.

Okemos, Michigan 48864

(517) 381-3337

November 28, 1997